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S E C R E T GENEVA 000617

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DEPT FOR T, VCI AND EUR/PRA
DOE FOR NNSA/NA-24
CIA FOR WINPAC
JCS FOR J5/DDGSA
SECDEF FOR OSD(P)/STRATCAP
NAVY FOR CNO-N5JA AND DIRSSP
AIRFORCE FOR HQ USAF/ASX AND ASXP
DTRA FOR OP-OS OP-OSA AND DIRECTOR
NSC FOR LOOK
DIA FOR LEA
IO FOR IO/UNP

E.O. 12958: DECL: 07/25/2019
TAGS: [KACT](#) [MARR](#) [PARM](#) [PREL](#) [RS](#) [US](#) [START](#) [UNGA](#)
SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA
(SFO-GVA-III): (U) START FOLLOW-ON NEGOTIATIONS, JULY 22,
2009, AFTERNOON SESSION

REF: GENEVA 616 (SFO-GVA-III-001)

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

11. (U) This is SFO-GVA-III-002.

12. (U) Meeting Date: July 22, 2009
Time: 3:30 - 5:30 P.M.
Place: Russian Mission, Geneva

SUMMARY

13. (S) The Russian Delegation continued its presentation of papers and proposals initiated during the morning session (REFTEL), focusing on basing of strategic offensive arms (SOAs) outside the national territory of the Parties, and proposed language for the START Follow-on Treaty's preamble and final provisions. On basing SOAs outside of national territory, the Russian Delegation sought information on why the United States objected to the concept of limiting SOAs within the continental portion of each Side's national territory, and asked whether the United States had plans for such basing. The Russian Delegation also proposed a set of notifications concerning the temporary deployment of heavy bombers, as well as notification of large-scale exercises involving heavy bombers.

14. (S) Regarding the Treaty's preamble, the Russians explained that their proposal was consistent with ideas discussed during previous sessions, and included a formulation on the "unbreakable link" between SOA reductions and missile defense deployment, as well as a statement that the deployment of ICBMs and SLBMs in a non-nuclear configuration impacted strategic stability. Regarding concluding provisions, the Russians explained that their proposal was generally consistent with language from the START Treaty, although it included a statement that "qualitative and quantitative" increases in missile defense capabilities could provide justification for treaty withdrawal under the supreme national interest clause.

15. (S) The Russian Delegation also outlined a proposal for a United Nations General Assembly (UNGA) resolution that would be based on UNGA Resolution 59/94 dated December 17, 2004, entitled "Bilateral Strategic Nuclear Arms Reductions and the New Strategic Framework," that had been jointly proposed by Russia and the United States. The Russian Delegation noted that the 2004 resolution had been very useful, and a similar resolution prior to the 2010 Review Conference for the Nuclear Nonproliferation Treaty (NPT) would likewise be useful.

BASING STRATEGIC OFFENSIVE
ARMS OUTSIDE OF THE PARTIES'
NATIONAL TERRITORIES

16. (S) Antonov presented the following paper, which included an attachment with specific treaty text proposals, regarding the basing and temporary deployment of strategic offensive arms beyond the national territory of each Side.

Begin text:

Official Translation

To be Turned over to the
U.S. Side

Paper of the Russian Side
July 23, 2009

On Basing and Temporary Stationing of
Strategic Offensive Arms Outside the
National Territory of Each Party

In accordance with the Joint Understanding of the Russian and U.S. Presidents on strategic offensive arms issues, of July 6, 2009, which instructs the negotiators to include in the text of the new treaty a provision on basing strategic offensive arms exclusively on the national territory of each Party, the Russian side would like to outline in more specific terms its approaches to this issue, which we regard as one of the key elements of the future agreement.

The Russian side notes that in its June 16, 2009 "Comments" on the Russian side's views regarding the new treaty the U.S. "does not object to the concept of locational restrictions for SOAs," including a restriction on basing SOAs outside the national territory of each Party.

At the same time, the U.S. side particularly stipulates in the above-mentioned paper that it rejects the narrowing of this restriction to the "continental portion" of the national territory of the Parties, as we initially proposed at these negotiations. In this connection, we cannot but have certain concerns as to what is behind this U.S. approach.

As you know, one of the significant differences between SOAs and other types of weapons is their range, which, from a military standpoint, makes it easier to solve the problem of selecting a basing location for such weapons. During the

term of the START Treaty there have been no precedents for basing either Russian (Soviet) or U.S. SOAs outside the continental portion of national territory.

In this context we would like to ask the U.S. side the following: does the U.S. plan to establish SOA facilities or base SOAs outside the continental portion of its national territory? What is the reason for its apprehensions concerning such a restriction?

We also have a number of questions for the U.S. side in connection with information that is becoming available, to the effect that the U.S. is carrying out measures in preparation for launching the LV-2 launch vehicle from Meck Island (the Marshall Islands in the Pacific Ocean), which is

declared as a "space launch facility" under the START Treaty. We would remind the U.S. side that at the JCIC session in June of this year the Parties agreed to consider the LV-2 launch vehicle being assembled on the basis of the first stage of the Trident I SLBM as a START accountable Trident I SLBM. Furthermore, the Marshall Islands, including Meck Island, are not U.S. territory since they have the status of a state "freely associated with the U.S." and, from a legal standpoint, they are an independent country. Could the U.S. side comment on this situation, given both Parties' intention to retain in the new treaty the START provision on not stationing SOAs outside national territory?

The Russian side reaffirms that our approach does not envisage a ban on temporary stationing of heavy bombers outside national territory.

We note that such an approach is consistent with the U.S. side's views on this issue, expressed in the aforementioned U.S. paper, where the U.S. "does not object to inclusion of provisions similar to those in the START Treaty that would address the temporary stationing of heavy bombers outside national territory." In this context, we take into consideration the fact that the U.S. side is proposing to work out less stringent notification requirements in this regard.

At the same time, we propose that a special regime be established for heavy bombers with long-range nuclear ALCMs or other nuclear armaments directly on them. Specifically, there would be a ban on stationing heavy bombers with long-range nuclear ALCMs or other nuclear armaments outside the continental portion of national territory.

The Russian side is prepared to provide the U.S. with its proposals on specific wording for the provisions on basing and temporary stationing of SOAs outside the national territory of each Party for inclusion in the text of the new treaty on strategic offensive arms (attached).

Attachment

Proposals of the Russian Side
for the Wording of the Provisions on
Basing and Temporary Stationing of SOAs Outside
the National Territory of Each Party
to be Included in the Text of the New Treaty on
Strategic Offensive Arms

In the body of the text:

Strategic offensive arms subject to this Treaty shall not be based outside the national territory of each Party.

In the event of temporary stationing of a heavy bomber outside national territory, a notification concerning movement of items subject to the limitations provided for in this Treaty shall be provided.

Each Party undertakes not to station heavy bombers with

long-range nuclear ALCMs or other nuclear armaments outside

the continental portion of national territory.

In an annex to the Treaty:

Each Party shall provide to the other Party, inter alia, the following notifications concerning movement of items subject to the limitations provided for in the Treaty:

(a) Notification, no later than 24 hours after a visit of a heavy bomber has exceeded 24 hours in duration, of the visit of such an airplane to the location visited. Such notification shall include, for each location visited: the number, by type, category, and, if applicable, variant, of the heavy bombers that are visiting; the air base, heavy bomber flight test center, production facility for heavy bombers, or training facility for heavy bombers, at which such airplanes are based; the location such airplanes are visiting; and the date and time of arrival.

(b) Notification, no later than 48 hours after departure, of the conclusion of the visit of a heavy bomber, notification of which has been provided in accordance with paragraph (a) of this Section. Such notification shall include, for each location visited by such airplanes: the number, by type, category, and, if applicable, variant, of the heavy bombers that have concluded the visit; the location visited by such airplanes; the air base, heavy bomber flight test center, production facility for heavy bombers, or training facility for heavy bombers, at which such airplanes are based; and the date and time of departure.

(c) Notification, no less than 48 hours in advance of the beginning of a major strategic exercise involving heavy bombers, of the beginning of such an exercise. Such notification shall include: the air bases for heavy bombers that are involved in the exercise; and the date and time of the beginning of the exercise.

(d) Notification, no later than 24 hours after the completion of a major strategic exercise involving heavy bombers, about which a notification has been provided in accordance with paragraph (c) of this Section, of the completion of that exercise. Such notification shall include the date and time of the completion of the exercise.

End text.

17. (S) Following Antonov's presentation of the Russian paper and proposed treaty text, Elliott asked whether Russia sought to prohibit the deployment of heavy bombers capable of carrying LRNA and other nuclear armaments, or whether Russia sought to prohibit the deployment of heavy bombers actually carrying such weapons. Antonov clarified that Russia's proposal was to prohibit deployments beyond the continental portion of each party's national territory of heavy bombers actually carrying nuclear weapons.

18. (S) Warner commented that he looked forward to seeing the Russian Federation's written paper. He stated that the U.S. Delegation would further investigate the question regarding possible plans to deploy strategic offensive arms beyond the

continental United States. The initial U.S. reaction to the idea of further limiting the deployment of heavy bombers to the continental portion of national territory was that this proposal had not been useful, but the United States would consider it further.

19. (S) Regarding exercise notifications, Warner asked whether such notices were proposed only for exercises that went beyond the continental portion of a country's national territory, or if the proposal was for any large-scale exercise. Antonov responded that the delegations could discuss the issue further after the United States had time to

review Russia's written proposals.

CLARIFICATION ON THE LV-2
FROM THE JCIC PERSPECTIVE

¶10. (S) Regarding Russian questions raised on the LV-2 in the Russian paper on basing of SOAs outside of national territory, Taylor responded that he looked forward to studying Russia's written proposals and specific questions. As he understood the Russian Delegation's presentation, Russia was concerned about the deployment of LV-2 on Meck Island. This was an issue discussed within the JCIC, and included issues associated with both space launch facilities and space launch vehicles. The issue of identifying a space launch facility outside of a Party's national territory was discussed extensively in the JCIC, and restrictions and limitations were put in place for the utilization of such facilities. One restriction was to prohibit the basing of strategic offensive arms at such a facility. A space launch vehicle taken to such a facility would remain under the control of the owning Party, and any items remaining after the launch would be returned. This would not prohibit the movement of a space launch vehicle outside national territory as long as proper notification was provided. Under START, Meck Island was a declared space launch facility outside the national territory of the United States. The LV-2 was a ballistic missile that incorporated the first stage of a Trident I. Per Joint Statement 21, a ballistic missile that incorporated the first stage of a ballistic missile of a specific type was accountable as a ballistic missile of that type. The United States, therefore, considered the LV-2 accountable as a Trident I. All necessary data had been provided to Russia. Any movement of the LV-2 to Meck Island would be done with notification provided in accordance with START and, therefore, would not be in violation of the Treaty.

¶11. (S) Antonov replied that this issue would likely be discussed further in the JCIC.

RUSSIAN PROPOSAL FOR
THE TREATY'S PREAMBLE

¶12. (S) Antonov previewed specific Russian proposals for the treaty's preamble by noting that there were two schools of thought for approaching the START Follow-on Treaty. One was

to focus on the most difficult issues first. The other was to focus on the areas where there existed some agreement. Russia had adopted a hybrid approach and, with regard to the preamble, Russia had developed its proposal drawing from both U.S. and Russian concepts, and placing these in a logical construction. He read the following Russian-proposed preamble.

Begin text:

Official Translation

To be Turned over to the
U.S. Side

Paper of the Russian Side
July 23, 2009

Draft Preamble to the New Treaty
on Strategic Offensive Arms
(Proposals of the Russian Side)

The Russian Federation and the United States of America,
hereinafter referred to as the Parties,

Committed to the historic goal of freeing humanity from
the nuclear threat and consistently implementing the

obligations under Article VI of the Treaty on the Non-proliferation of Nuclear Weapons of July 1, 1968;

Endeavoring to help reduce the role and importance of nuclear arms in ensuring international security and expressing support for global efforts in the field of non-proliferation;

Continuing along the path of strengthening strategic stability and forging a new strategic relationship based on mutual trust, openness, predictability, and cooperation;

Considering it necessary to bring the nuclear postures of the Russian Federation and the United States of America into alignment with our countries' post-Cold War relationship - no longer enemies, no prospect of war between us, and cooperating where mutually advantageous;

Considering the stabilizing influence on the global situation brought about by the radical and variable reduction of nuclear arsenals at the turn of the 21st century;

Noting that there is an indissoluble interrelationship between the reduction of strategic offensive arms and the deployment of missile defense systems;

Agreeing that ICBMs and SLBMs in a non-nuclear configuration have an impact on strategic stability;

Taking into account the fact that the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991 (the START Treaty) has been implemented in full;

Noting that the Republic of Belarus, the Republic of Kazakhstan, and Ukraine have completely fulfilled the obligations assumed in accordance with the Protocol to the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms of May 23, 1992;

Fully appreciating the contribution of the Republic of Belarus, the Republic of Kazakhstan, and Ukraine to the cause of general and complete nuclear disarmament and strengthening international peace and security as non-nuclear-weapon states;

Seeking to maintain continuity and provide new impetus to the process of reducing and limiting nuclear arms while maintaining the safety and security of their nuclear arsenals, and with a view to multilateralization of this process in the future;

Desiring to create a mechanism for verifying compliance with the obligations under this Treaty, based on the procedures that were perfected in the START Treaty, and supplemented by transparency and confidence-building measures;

Guided by the principle of equal security and believing that global challenges and threats require continued use of qualitatively new approaches to interaction on the whole spectrum of strategic relations,

Have agreed as follows...

End text.

¶13. (S) Gottemoeller thanked Antonov and asked about the statement that Belarus, Kazakhstan and Ukraine had fully fulfilled their obligations under START. Specifically, for Ukraine and Kazakhstan, there were START-accountable items that had yet to be eliminated.

¶14. (S) Antonov replied that it was a good question but that, from his perspective, it was important to be clear that the other START Treaty Parties had fulfilled their

obligations; otherwise it would lend credence to their arguments that they be part of the START Follow-on negotiations. Instead, he suggested that the work on eliminations under the U.S. Cooperative Threat Reduction Program continue and, for the purposes of recognizing their contributions, the United States and Russia note that the other START Parties have complied with their obligations.

¶15. (S) Gottemoeller elaborated that her point was that the single statement in the Russian-proposed preamble recognizing the denuclearization of Belarus, Kazakhstan, and Ukraine may be sufficient without commenting on the legal status of START implementation, where there could be some questions.

RUSSIAN PROPOSAL FOR
THE TREATY'S CONCLUDING
PROVISIONS

¶16. (S) After recognizing the hard work of the Russian Delegation's legal advisor prior to the negotiating session, Antonov read the following Russian proposal for the Treaty's concluding provisions.

Begin text:

Official Translation

To be Turned over to the
U.S. Side

Paper of the Russian Side
July 23, 2009

Draft Concluding Provisions of the New Treaty
on Strategic Offensive Arms
(Proposals of the Russian Side)

¶1. This Treaty shall be subject to ratification and shall enter into force on the date of the exchange of instruments of ratification.

¶2. This Treaty shall be concluded for 10 years.

¶3. Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures governing entry into force of this Treaty.

¶4. The Parties agree that, if it becomes necessary to make changes in the provisions of the Annex to this Treaty that do not effect substantive rights and obligations under the Treaty, they shall use the Bilateral Consultative Commission to reach agreement on such changes, without resorting to the procedure of making amendments, set forth in paragraph 3 of this Article.

¶5. Each Party shall, in exercising its national sovereignty, have the right to terminate this Treaty if, in its view, further compliance with the Treaty will jeopardize the Party's supreme interests, inter alia in the event of a quantitative and qualitative buildup in the capabilities of missile defense systems.

¶6. A Party that has decided to terminate this Treaty shall inform the other Party of its decision through diplomatic channels at least three months prior to termination of this Treaty, specifying the extraordinary events that it regards as having jeopardized its supreme interests.

¶7. As of the date of its entry into force, this Treaty shall supersede the Treaty Between the Russian Federation and the United States of America on Strategic Offensive Reductions of May 24 2002, which shall terminate as of that date.

This Treaty will be registered pursuant to Article 102 of the Charter of the United Nations.

End text.

¶17. (S) Gottemoeller asked Brown for his initial reaction, to which he replied that the text was well done. Gottemoeller noted that the U.S. Delegation would have additional comments during the next day's meetings, including regarding the Russian formulation for the supreme national interest withdrawal clause.

RUSSIAN-PROPOSED UNGA RESOLUTION

¶18. (S) Antonov asked the U.S. Delegation to consider a Russian proposal for a bilateral resolution for presentation to the U.N. General Assembly regarding U.S.-Russian bilateral strategic offensive arms reductions and the new framework for bilateral relations. He stated Russia had reviewed UNGA resolution 59/64 from December 17, 2004, on this subject, and believed that it was very useful, noting its inclusion of several figures regarding reductions in the area of strategic offensive arms. Russia believed an updated resolution would be useful ahead of the 2010 NPT Review Conference. He then read the following Russian-proposed UNGA resolution:

Begin text:

Official Translation

To be Turned over to the
U.S. Side

Paper of the Russian Side
July 23, 2009

On a Draft Resolution
"Bilateral Reductions in Strategic Nuclear Arms
and the New Framework for Strategic Relations"

In order to ensure broad international support for the efforts being undertaken by our countries in the field of disarmament and non-proliferation, we propose to the U.S. side jointly submitting a draft resolution entitled "Bilateral Reductions in Strategic Nuclear Arms and the New Framework for Strategic Relations" to the First Committee of the UNGA during the upcoming session of the General Assembly. We already submitted such a draft in 2004 at the 59th Session of the UNGA.

The Russian side considers it appropriate to use as a basis the text of Resolution 59/94 of December 3, 2004, and reflect in it the following additional points:

-- the nature of the strategic relations between Russia and the U.S. (equal security, trust, openness, cooperation, and predictability);

-- the upcoming completion of the operation of the Moscow Treaty on Strategic Offensive Reductions and the implementation of its provision on reduction of the sides' strategic nuclear warheads to 1700-2200;

-- fulfillment of the START Treaty obligations by all the Parties, including Belarus, Kazakhstan, and Ukraine;

-- the beginning of the negotiations between Russia and the U.S. to work out a new treaty on strategic offensive arms;

-- the obligations under Article VI of the NPT;

-- the need for early entry into force of the CTBT;

-- support for the FMCT negotiations;

-- a call to other states to join in the nuclear disarmament efforts of Russia and the U.S. and to do their utmost to support the development of the disarmament process.

We would ask the U.S. side to present its views in this regard. If there are no objections in principle, we would be willing to prepare the draft of such a resolution for consideration at the next round of negotiations.

End text.

¶19. (S) Antonov proposed that if the United States agreed, a more complete resolution could be developed by August, but reiterated the basis would be the 2004 UNGA resolution.

¶20. (S) Gottemoeller replied that this idea had been considered in Washington and that, in general, the Russian proposal was a good idea. She asked how the Russian proposal would relate to a possible resolution initiated by the P-5.

¶21. (S) Antonov replied that the resolution on bilateral reductions and relations would shed more light on common U.S.-Russian objectives. It would provide a broader context for U.S.-Russian leadership, and demonstrate U.S.-Russian resolve specifically in the area of nuclear disarmament. He did not believe the P-5 document would be submitted to the General Assembly. However, the Russian-proposed document could assist in the development of the P-5 document.

¶22. (S) Gottemoeller again commented that it was a good idea that was also being considered in Washington, but that so far Washington had not focused on any potential details. It would be important, however, to continue to shed light on U.S.-Russian disarmament efforts.

INITIAL DISCUSSION OF
WORK PLAN FOR START
FOLLOW-ON NEGOTIATIONS

¶23. (S) In reviewing the next day's agenda, Gottemoeller noted that an important agenda item would be to agree on a work plan and timeline for negotiating text for the Treaty and its protocols. Antonov replied that the Presidents had provided clear instructions. He was prepared to meet daily if there was substance to discuss. However, he believed the United States would need time to develop its response to the

Russian papers. Russia would provide additional papers, but time was needed for each Side to do its homework. Not all of the experts were at the negotiating sessions, nor was the leadership that would ultimately need to approve proposals. The key issue was not the frequency of the meetings but the substance of them. He commented that Ambassador Beyrle had scared the Ministry of Foreign Affairs (MFA) staff when he asked whether Antonov would be up to the task of leading the START Follow-on negotiations for Russia. The MFA leadership wanted to know if the United States wanted Antonov replaced.

¶24. (S) Gottemoeller replied that if such a query were made by Ambassador Beyrle, its intent would certainly not have been to suggest that the United States sought to replace Antonov. She made the point that organizational issues were boring but necessary, and she wanted to ensure that the Russian Delegation understood U.S. thinking with regard to the work in Geneva over the coming months.

¶25. (U) Documents exchanged.

- Russia:

-- Russian Paper On Strategic Missile Systems in a Non-nuclear Configuration, dated July 22, 2009; and

-- Russian Paper On the Interrelationship between
Strategic Offensive and Strategic Defensive Arms, dated July
22, 2009.

126. (U) Participants:

U.S.

A/S Gottemoeller
Amb Reis
Mr. Brown
Mr. Buttrick
Lt Col Comeau
Mr. Connors
Mr. Dunn
Mr. Elliott
Mr. Fortier
Mr. Johnston
Mr. Siemon
Mr. Taylor
Dr. Warner
Mr. Shkeyrov (Int)
Ms. Gross (Int)

RUSSIA

Amb Antonov
Mr. Belyakov
Mr. Izrazov
Ms. Kotkova
Mr. Kuznetsov
Mr. Leontiev
Mr. Luchaninov
Mr. Malyugin
Mr. Neshin

Col Novikov
MGen Orlov
Mr. Pischulov
Mr. Rudenko
Col Ryzhkov
Mr. Shevchenko
Mr. Smirnov
Mr. Trifonov
Mr. Vasiliev
Ms. Vodopolov
Col Zaitsev
Mr. Gayduk (Int)
Ms. Komshilova (Int)

127. (U) Gottemoeller sends.
GRIFFITHS